



UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF CALIFORNIA  
SOUTHERN DIVISION

March 2024 Grand Jury

UNITED STATES OF AMERICA,

No. **8:24-cr-00143-FWS**

Plaintiff,

I N D I C T M E N T

v.

[18 U.S.C. § 1343: Wire Fraud;  
18 U.S.C. § 982: Criminal  
Forfeiture]

JOHN TAMAHHERE MCCABE,

Defendant.

The Grand Jury charges:

[18 U.S.C. § 1343]

A. INTRODUCTORY ALLEGATIONS

At all times relevant to this Indictment:

1. Defendant JOHN TAMAHHERE MCCABE was a resident of Maui, Hawaii, who spent substantial time in Orange County, California.

2. Victim J.L. was 78 years old and a resident of Irvine, California. Victim J.L. had recently lost his wife and had no family support.

3. Victim J.L. owned a condominium in Irvine, California worth approximately \$1 million (the "Irvine Residence") and a

1 2017 44-foot Tiara yacht (the "Yacht") docked in Newport Beach,  
2 California, which was purchased for over \$1 million.

3 B. THE SCHEME TO DEFRAUD

4 4. Beginning in or around July 2017, and continuing to in  
5 or around January 2024, in Orange County, within the Central  
6 District of California, and elsewhere, defendant MCCABE,  
7 knowingly and with the intent to defraud, devised and executed a  
8 scheme to defraud and obtain money and property from Victim J.L.  
9 by means of materially false and fraudulent pretenses,  
10 representations, and promises, and the concealment of material  
11 facts.

12 5. In carrying out the scheme, defendant MCCABE engaged  
13 in the following fraudulent and deceptive acts, practices, and  
14 devices, and made the following material omissions, among  
15 others:

16 a. Under the guise of assisting Victim J.L.,  
17 defendant MCCABE offered to broker the sale of the Yacht.  
18 MCCABE promised to transfer the proceeds of the sale to Victim  
19 J.L.

20 b. Unbeknownst to Victim J.L., defendant MCCABE  
21 fabricated documents to change the ownership of the Yacht from  
22 Victim J.L. to defendant MCCABE. Once the Yacht was ostensibly  
23 in defendant MCCABE's name, defendant MCCABE sold the Yacht.  
24 Without Victim J.L.'s knowledge or consent, defendant MCCABE  
25 diverted almost all of the proceeds to his own personal bank  
26 account and used the majority of the proceeds for his own  
27 personal purposes.

1                   c. Purporting to act in the best interest of Victim  
2 J.L., defendant MCCABE convinced Victim J.L. to transfer the  
3 Irvine Residence into a Limited Liability Company (the "LLC"),  
4 claiming that it would protect Victim J.L.'s most valuable asset  
5 and provide tax benefits. In coordinating the paperwork for the  
6 transfer, defendant MCCABE promised that Victim J.L. would be  
7 the sole member and manager of the LLC and the transfer would  
8 only change the manner in which the title was held.

9                   d. Unbeknownst to Victim J.L. and without Victim  
10 J.L.'s consent, defendant MCCABE made himself the sole member  
11 and manager of the LLC. Once he controlled the LLC, defendant  
12 MCCABE, without Victim J.L.'s knowledge or consent, caused \$1  
13 million in loans to be taken out and secured by the Irvine  
14 Residence, draining all of its equity.

15                   e. Instead of providing the loan proceeds to Victim  
16 J.L., defendant MCCABE used the majority of the loan proceeds  
17 for his own personal purposes. Once the loan proceeds were  
18 spent, defendant MCCABE defaulted on the loans and the Irvine  
19 Property was sold at a foreclosure sale, leaving Victim J.L.  
20 homeless.

21                 6. Through this scheme, defendant MCCABE stole  
22 approximately \$2 million from Victim J.L.

23 C. THE USE OF INTERSTATE WIRES

24                 7. On or about the dates set forth below, within the  
25 Central District of California, and elsewhere, for the purpose  
26 of executing the above-described scheme to defraud, defendant  
27 / / /  
28 / / /

1 MCCABE caused the transmission of the following by means of wire  
 2 communication in interstate commerce:

COUNT	DATE	ITEM WIRED
ONE	10/15/2020	\$100,000 from S.F.'s and B.F.'s First Republic Bank account (ending in 0557) in Newport Beach, California, to defendant MCCABE's Bank of America account (ending in 9075) in Paia, Hawaii, which was processed through the Federal Reserve facilities in New Jersey and Texas, for the purchase of the Yacht
TWO	11/3/2020	\$291,500 from S.F.'s and B.F.'s First Republic Bank account (ending in 0557) in Newport Beach, California to defendant MCCABE's Bank of America account (ending in 9075) in Paia, Hawaii, which was processed through the Federal Reserve facilities in New Jersey and Texas, for the purchase of the Yacht
THREE	3/4/2021	\$60,000 from S.F.'s and B.F.'s First Republic Bank account (ending in 0557) in Newport Beach, California to defendant MCCABE's Bank of America account (ending in 9075) in Paia, Hawaii, which was processed through the Federal Reserve facilities in New Jersey and Texas, for the purchase of the Yacht
FOUR	6/3/2021	\$500,000 from RFF Family Partnership LLP's Banc of California account (ending in 9798) in Santa Monica, California to defendant MCCABE's Bank of America account (ending in 9075) in Paia, Hawaii, which was processed through the Federal Reserve facilities in New Jersey and Texas, to fund a loan secured by the Irvine Residence
FIVE	8/18/2021	\$50,000 from S.F.'s and B.F.'s First Republic Bank account (ending in 0557) in Newport Beach, California to defendant MCCABE's Bank of America account (ending in 9075) in Paia, Hawaii, which was processed through the Federal Reserve facilities in New Jersey and Texas, for the purchase of the Yacht

COUNT	DATE	ITEM WIRED
SIX	8/24/2021	\$464,184.45 from Ticor Title's US Bank account (ending in 2676) in Portland, Oregon, to 128 Tribeca LLC's Wells Fargo Bank account (ending in 8664 )in San Juan Capistrano, California, which was processed through the Federal Reserve facilities in New Jersey and Texas, to fund a loan secured by the Irvine Residence

## 1 FORFEITURE ALLEGATION

2 [18 U.S.C. § 982]

3 1. Pursuant to Rule 32.2(a) of the Federal Rules of  
4 Criminal Procedure, notice is hereby given that the United  
5 States of America will seek forfeiture as part of any sentence,  
6 pursuant to Title 18, United States Code, Section 982(a)(2), in  
7 the event of the defendant's conviction of the offenses set  
8 forth in Counts One through Count Six of this Indictment.

9 2. The defendant, if so convicted, shall forfeit to the  
10 United States of America the following: (a) All right, title and  
11 interest in any and all property, real or personal,  
12 constituting, or derived from, any proceeds obtained, directly  
13 or indirectly, as a result of the offense; and (b) To the extent  
14 such property is not available for forfeiture, a sum of money  
15 equal to the total value of the property described in  
16 subparagraph (a).

17 3. Pursuant to Title 21, United States Code, Section  
18 853(p), as incorporated by Title 18, United States Code, Section  
19 982(b), the defendant, if so convicted, shall forfeit substitute  
20 property, up to the total value of the property described in the  
21 preceding paragraph if, as the result of any act or omission of  
22 the defendant, the property described in the preceding  
23 paragraph, or any portion thereof: (a) cannot be located upon  
24 the exercise of due diligence; (b) has been transferred, sold to  
25 or deposited with a third party; (c) has been placed beyond the  
26 jurisdiction of the court; (d) has been substantially diminished

1 in value; or (e) has been commingled with other property that  
2 cannot be divided without difficulty.

3 A TRUE BILL

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Foreperson

6 E. MARTIN ESTRADA  
United States Attorney

7 *Lindsey Greer Dotson*

8 LINDSEY GREER DOTSON  
9 Assistant United States Attorney  
10 Chief, Criminal Division

11 ANNE C. GANNON  
12 Assistant United States Attorney  
Chief, Orange County Office

13 JENNIFER L. WAIER  
14 Assistant United States Attorney  
Deputy Chief, Orange County  
15 Office

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